

LAW OFFICES OF
WALKUP, MELODIA, KELLY & SCHOENBERGER
A PROFESSIONAL CORPORATION

650 CALIFORNIA STREET, 26TH FLOOR
SAN FRANCISCO, CALIFORNIA 94108-2615
T: (415) 981-7210 · F: (415) 391-6965

Michael A. Kelly (State Bar #71460)
Doris Cheng (State Bar #197731)

Scott A. Powell (*pro hac vice*)
Bruce J. McKee (*pro hac vice*)
Christopher S. Randolph, Jr. (*pro hac vice*)
Tempe D. Smith (*pro hac vice*)
HARE, WYNN, NEWELL & NEWTON, LLP
2025 Third Avenue North, 8th Floor
Birmingham, AL 35203

Jason Earley (*pro hac vice*)
HARE, WYNN, NEWELL & NEWTON, LLP
226 Cottondale Lane, Suite 210
Little Rock, AR 72202

David G. Hymer (*pro hac vice*)
Linda A. Friedman (*pro hac vice*)
Michael R. Pennington (*pro hac vice*)
Ellen S. Presley (*pro hac vice*)
BRADLEY ARANT BOULT CUMMINGS LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, AL 35203

ATTORNEYS FOR PLAINTIFF
MICHEL KECK

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MICHEL KECK, on behalf of herself and
others similarly situated,

Plaintiff,

v.

ALIBABA.COM, INC., et al.,

Defendants.

Case No. 5:17-cv-05672-BLF

PROOF OF SERVICE

ON DEFENDANT

WENDDY'S STORE

Trial Date: Not yet assigned

1 1. I certify and declare that I am over the age of 18 years, employed in Jefferson
2 County, Alabama, and not a party to the above-entitled cause.

3 2. I am an investigator employed by plaintiff's counsel in the above-styled civil
4 action.


5 3. On January 2, 2018, at 10:57 A.M., Central Standard Time, I transmitted a
6 message to Defendant Wenddy's store through the AliExpress messaging system accessible from
7 Defendant Wenddy's store's virtual storefront at <https://www.aliexpress.com/store/2341350>. I
8 received confirmation that the message was transmitted. A true and accurate image of the
9 confirmation message is attached hereto as Exhibit 1. A true and accurate image of my
10 communications with this defendant is attached here to as Exhibit 2, redacting the address and
11 password for the secure website referenced in paragraph 4 below.
12

13 4. The message to Defendant Wenddy's store provided a unique link, along with a
14 password, to a folder on the Hare Wynn cloud site (<https://apps.hwonn.com/owncloud>) where PDF
15 versions of English and Chinese translations of the following documents can be accessed and
16 downloaded: summons directed to Wenddy's store (D.E. 97); civil cover sheet (D.E. 1-16);
17 attachment to civil cover sheet (D.E. 1-17); complaint (D.E. 1); complaint exhibits 1, 2.1, 2.2, 2.3,
18 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.11, 2.12, 2.13, and 3 (D.E. 1-1—D.E. 1-15); clerk's notice
19 resetting case management conference following reassignment (D.E. 56); standing order re civil
20 cases, District Judge Beth Labson Freeman; standing order regarding case management in civil
21 cases; order setting initial case management conference and ADR deadlines (D.E. 11); standing
22 order for all judges of the Northern District of California – contents of joint case management
23 statement; ECF registration information handout; consent or declination to magistrate judge
24 jurisdiction form. This Court's Order Granting Plaintiff's Application to Serve Certain
25 Defendants by Electronic Means Pursuant to Fed. R. Civ. P. 4(f)(3) (D.E. 74) was also available to
26
27
28

1 view and download at the link.

2 5. I declare under penalty of perjury under the laws of the United States of America
3 that the foregoing is true and correct.

4 Executed on 1-8-18 in Birmingham, Jefferson County, Alabama.

6
7 

8 STEPHEN L. MOON
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit 1

AliExpress



Your message was sent to ch**wu

The seller's reply will go to your registered email address. You can also access the same message in the Message Center by logging in to My AliExpress.

Back to the previous page | Go to message center

Exhibit 2

AliExpress™

[My AliExpress](#)
[My Orders](#)
[Message Center](#)
[Wish List](#)
[My Favorite Stores](#)
[Account Settings](#)


[Cart 0](#)
[Wishlist](#)

[Hi, Document...](#)
[Message Center](#)
[Conversations](#)
[Spam](#)
[Service Notification](#)
[Notifications](#)
[Setting](#)
[Contact Blacklist](#)
[< Back](#) [View Details](#)

Send to: chenchen wu | wendy's Store | [Add to Blacklist](#)

Message History

[Delete Conversation](#)

Messages Translation: ☒ Disable ☐ English

AliExpress Mobile App
Search Anywhere, Anytime!



You have been named as a defendant in a civil action filed in the United States District Court for the Northern District of California and are hereby being served with the summons, complaint, and additional documents, consistent with the Court's December 20, 2017 Order Granting Plaintiff's Application to Serve Certain Defendants by Electronic Means Pursuant to Fed. R. Civ. P. 4(f)(3). English and Chinese versions of the complaint, summons and additional documents are available at the following link: [REDACTED]. The password is: [REDACTED].

Sincerely, Stephen L. Moon, on behalf of Christopher S. Randolph, Jr., one of the attorneys representing plaintiff Michael Kack

Me
18/01/02 08:57